

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 3626
Examiner: Lubin, V.
Applicant: Stephen J. Brown
Serial No: 10/605,548
Filing Date: October 7, 2003
For: NETWORKED HEALTH INFORMATION SYSTEM FOR MONITORING
FOOD INTAKE

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

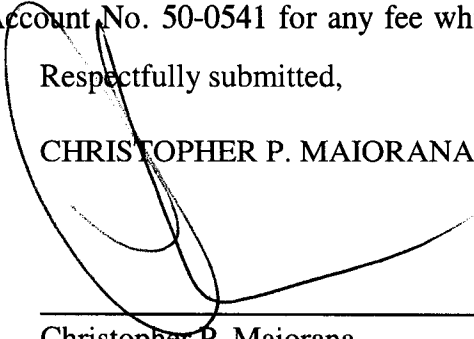
The Applicant of the above-captioned patent application hereby appeals to the Board of Patent Appeals and Interferences from the decision dated May 24, 2010 of the Examiner finally rejecting Claims 1-5, 7, 8, 10-23, 25, 26, 28-50.

An extension of time to respond to the final rejection is hereby requested for one month. The payment for the one month extension fee and the appeal fee is enclosed herewith.

If Applicant has not requested a sufficient extension and/or has not paid a sufficient fee for this matter, and/or for the extension necessary to prevent the abandonment of this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-0541 for any fee which may be due.

Respectfully submitted,

CHRISTOPHER P. MAIORANA, P.C.



Christopher P. Maiorana
Registration No. 42,829
Phone No. (586) 498-0670

Dated: September 22, 2010

c/o Health Hero Network

Attorney Docket No.: 7553.00100 / 03-1010